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To: District Managers and Deputy State Directors

From: State Director

Subject: Greater Sage-Grouse Habitat Management Policy on Wyoming Bureau of Land Management (BLM) Administered Public Lands Including the Federal Mineral Estate

Program Area: All programs

Purpose: This Instruction Memorandum (IM) provides guidance to Bureau of Land Management Wyoming (BLM WY) Field Offices (FOs) regarding management consideration of Greater Sage-Grouse habitats for proposed activities until resource management planning updates are completed. This guidance is in place of direction provided in Washington Office (WO) IM No. 2012-043 concerning interim management policies and procedures for Greater Sage-Grouse. Specifically, this IM addresses all BLM WY programs and provides all necessary interim program direction consistent with WO IM No. 2012-043. Where planning efforts to update and incorporate this guidance are not yet completed, the BLM WY State Office will conduct periodic review of the implementation of measures and directives contained in this IM to determine their applicability and effectiveness and make changes as necessary. This IM replaces IM No. WY-2010-012 and IM No. WY-2010-013 (USDI BLM 2010a, USDI BLM 2010b). This IM also acknowledges that Wyoming BLM will be meeting the intent of WO IM-No. 2012-044, BLM National Greater Sage Grouse Land Use Planning Strategy.

Policy/Action: It is the policy of BLM WY to manage Greater Sage-Grouse seasonal habitats and maintain connectivity in identified areas in support of the population management objectives set by the State of Wyoming. This guidance is consistent with guidelines and recommendations

provided for in the Wyoming Governor's Sage-Grouse Implementation Team's Core Population Area Strategy and the most recent Wyoming Governor's Executive Order (EO) 2011-5. This IM is also consistent with the BLM National Sage-grouse Habitat Conservation Strategy (USDI BLM 2004a), WO policy guidance including:

- IM No. WO-2011-138 (Sage-Grouse Conservation Related to Wildland Fire and Fuels Management);
- IM No. WO-2010-071 (Gunnison and Greater Sage-Grouse Management Considerations for Energy Development);
- IM No. WO-2012-043 (Greater Sage-Grouse Interim Management Policies and Procedures);
- National BLM Policy Manual 6840 which provides direction for the management of BLM Sensitive Species; and
- IM NO. WO-2012-044, BLM National Greater Sage-Grouse Land Use Planning Strategy.

Because Washington Office IM No. WO-2012-043 references the terms Preliminary Priority Habitat (PPH) and Preliminary General Habitat (PGH), the following explanation of terms used in Wyoming to describe these areas is necessary. BLM WY will refer to PPH in this IM as "core" or "connectivity" areas because these areas currently correspond to the mapped boundaries of the State of Wyoming's Core Population Area Strategy and meet the instructed intent of WO guidance. Connectivity areas are not the same as core areas in Wyoming, but they are a high priority for management, as identified by the State (EO 2011-5; Figure 1). Additionally, the BLM WY, Buffalo Field Office (BFO) has identified sage-grouse "Focus Areas" for adaptive management direction during the Buffalo resource management plan revision process. A record of the management direction for these existing "focus areas" can be reviewed by visiting the following BLM WY BFO web-site:

http://www.blm.gov/wy/st/en/field_offices/Buffalo/wildlife/sagegrouse.html).

Finally, PGH in Wyoming corresponds to all Greater Sage-Grouse habitats not located within identified core, connectivity or focus areas.

This guidance is structured to utilize an adaptive management approach that effectively adopt the goals and objectives of the State's Sage-Grouse Core Protection Area Strategy regarding habitat conservation, restoration, and reclamation practices for Sage-Grouse habitats in Wyoming.

The IM policy guidance will be implemented in conjunction with existing program-specific policies and Best Management Practices (BMPs) such as, but not limited to, those contained in the fluid minerals program and the lands and realty program. It is the goal of BLM WY to continue to work toward the long-term conservation of Greater Sage-Grouse habitats in

Wyoming through coordination with partners, including the Governor's Office of the State of Wyoming, the Wyoming Game and Fish Department (WGFD) and the U.S. Fish and Wildlife Service (FWS), and to also utilize input from the Resource Advisory Council (RAC), Local Sage-Grouse Working Groups (LWGs), BLM cooperators and stakeholders through a process that includes the immediate implementation of the following measures and statements.

Policy Statement 1: Habitat Mapping and Assessment

The BLM WY State Office will, along with other involved partners, continue to support the development and use of the statewide sage-grouse seasonal habitat models. In addition, BLM WY will continue to support the development of genetic connectivity information and other tools appropriate and necessary to support BLM management decisions. It is anticipated that regionally-based, seasonal habitat models will be fully developed for nesting, early brood-rearing and winter habitat areas by 2013. BLM WY FOs are encouraged to work with the WGFD, using input from LWGs, researchers, industry, and other partners to identify, delineate, and manage important sage-grouse seasonal habitats and movement corridors even before the completion of these models. BLM WY will refer to core area maps located in the State's EO 2011-5. EO 2011-5 also includes clarified management prescriptions for the designated areas of non-core and connectivity areas. If, through the planning process, BLM proposes to adjust management strategy or boundaries of these areas from the State EO, all such adjustments must be coordinated with the State of Wyoming and other cooperators throughout the established NEPA and planning compliance processes.

The BLM WO has finalized the Sage-grouse Habitat Assessment Framework (HAF) as of August 2010, and instruction from the HAF must be considered when assessing the use of best tools for delineating relative abundance or quality of important seasonal sage-grouse habitats in core. Wyoming Sage-Grouse definitions are provided in Attachment 1 of this IM for reference and consideration of the following statements. Additionally, Attachment 2 provides habitat component descriptions for reference and consideration of the following statements.

Policy Statement 2: Timing, Distance, Disturbance, and Density Restrictions

Pending completion of ongoing land use planning revisions and amendments, BLM WY FOs must consider and evaluate the following sage-grouse habitat conservation measures related to timing, distance, disturbance, and density for proposed projects both within and outside of core areas as appropriate. FOs should, on a project-by-project basis, evaluate these and other project-specific habitat conservation measures within the context of the proposal and associated documentation of National Environmental Policy Act (NEPA) compliance.

With regard to timing limitations, the Governor's EO presents timing restrictions, as recommended by the Sage-Grouse Implementation Team (SGIT), of March 15 to June 30 for the protection of breeding activities (*i.e.*, lek, nesting, and early brood rearing) as well as the winter seasonal protections from November 1 to March 14 for Winter Concentration Areas (WCAs). At a minimum, the BLM will consider these recommended timing restrictions in core areas. Where local FOs have obtained credible data and information to support an additional 2 weeks of

protection preceding these recommended dates or subsequent to these dates, then BLM FOs may consider expanding the dates of restriction for the protection of sage-grouse breeding, early brood rearing, and winter concentration habitat areas. This instruction is consistent with the Wyoming Governor's EO (EO 2011-5; Attachment B; Statement 2).

The following sage-grouse habitat conservation measures, which FOs must consider and evaluate consistent with applicable laws, when considering proposed actions, are concentrated on providing direction for identified core and connectivity habitats and those areas of habitat outside these designations. For management prescriptions within WY BLM - BFO focus areas, refer to established management prescriptions for these areas that would be applied during the RMP revision process. The BFO is the only WY BLM FO that has, or will, identify sage-grouse focus areas.

Timing and Distance:

Sage-grouse leks inside core/connectivity areas: Surface occupancy and/or disruptive activities are prohibited on or within a six tenths (0.6) mile radius of the perimeter¹ of occupied² sage-grouse leks.

For the purposes of implementation of this policy, FOs must consider and evaluate an alternative that would not allow new surface facilities, including roads, to be authorized within a 0.6-mile buffer around occupied core or connectivity leks. Other actions may be consistent with the State's strategy when authorized (e.g., buried power and flowlines) with adherence to seasonal restrictions in nesting/early brood-rearing habitat and/or winter concentration areas, where the action(s) would not result in adverse impacts to core sage-grouse populations.

Sage-grouse outside core/connectivity areas³: Surface occupancy and/or disruptive activities are prohibited on or within a one-quarter (0.25) mile radius of the perimeter of occupied sage-grouse leks.

For the purposes of implementation of this policy, FOs must consider and evaluate an alternative that would not allow new surface facilities, including roads, to be authorized within a 0.25 mile buffer around occupied leks outside core or connectivity areas. Other actions may be consistent with the State's strategy when authorized (e.g., buried power and flowlines) with adherence to seasonal restrictions in nesting/early brood-rearing habitat

¹ Mapping of lek perimeters is underway in cooperation with the WGFD. Field Offices are encouraged to continue to coordinate with WGFD to complete lek perimeter mapping. FOs must use lek perimeter data from WGFD if available, and until such time as the perimeter is mapped, use 0.6 miles from the center of the lek.

² Wyoming Sage-Grouse Definitions are in Attachment 1.

³ Connectivity Areas as identified by SGIT recommendations and Wyoming Governor's EO 2011-5.

and/or winter concentration areas, where the action(s) would not result in adverse impacts to core sage-grouse populations.

Sage-grouse nesting/early brood-rearing habitat in core areas: Surface disturbing and/or disruptive activities are prohibited from March 15–June 30 to protect sage-grouse nesting and early brood rearing habitat. Apply this restriction to all nesting and early brood-rearing habitats inside core areas regardless of distance from the lek. Where credible data support different timeframes for this seasonal restriction, dates may be expanded by up to 14 days prior to or subsequent to the above dates.

Sage-grouse nesting/early brood-rearing habitat in connectivity areas: Surface disturbing and/or disruptive activities are prohibited from March 15–June 30 to protect nesting and early brood-rearing habitats within 4 miles of the lek or lek perimeter of any occupied sage-grouse lek within identified connectivity areas. Where credible data support different timeframes for this seasonal restriction, dates may be expanded by 14 days prior or subsequent to the above dates.

Sage-grouse nesting/early brood-rearing habitat outside core or connectivity areas: Surface disturbing and/or disruptive activities are prohibited from March 15–June 30 to protect sage-grouse nesting and early brood rearing habitats within 2 miles of the lek or lek perimeter of any occupied lek located outside core or connectivity areas. Where credible data support different timeframes for this restriction, dates may be expanded by 14 days prior or subsequent to the above dates.

Sage-grouse late brood-rearing and Winter Concentration Areas (WCAs): Surface disturbing and/or disruptive activities in sage-grouse WCAs are prohibited from December 1–March 14 to protect core populations of sage-grouse that use these winter concentration habitats. While the bulk of winter and late brood rearing habitat necessary to support core area populations is available within core population areas, it may be necessary to protect additional areas of winter concentration that are not located within the current core area boundaries. Appropriate seasonal timing restrictions and habitat protection measures must be considered and evaluated where WCAs or important late brood-rearing areas are identified as supporting populations of Greater Sage-Grouse that attend leks within core.

Surface Disturbance and Disruptive Activities:

Surface disturbing and disruptive activities are defined in the WY BLM Guidance for Use of Standardized Surface Use Definitions (WY IB 2007-029). For actions other than those taken for human health and safety, regulatory compliance or emergency, BLM FOs must determine if any activity proposed in sage-grouse nesting, brood-rearing or WCA habitat is “disruptive” by determining if the activity would require people and/or the structure or activity to be present in these habitats for a duration of more than 1 hour during any one 24 hour period during the applicable season in a site-specific area. Disruptive activity restrictions are not applicable to mandatory actions including those required to ensure compliance with existing permits, 43 CFR §3162.1(a) and 43 CFR §3162.5-1(a) and (c), or activities meeting any of the definitions of casual use as found in the Code of Federal Regulations.

Density and Disturbance:

Inside Sage-Grouse Core Areas:

For authorization of new proposed actions within sage-grouse core areas, including where there are valid existing rights, FOs must consider an alternative that would limit activities to an average of no more than one oil and gas and/or mining location per 640 acres and no more than 5 percent habitat disturbance (related to all programs or applicable sources of “disturbance” – see Disturbance Density Calculation Tool (DDCT) Manual within the core areas using the DDCT. Exempted activities not subject to the disturbance limits will not require use of the DDCT, but their associated disturbance will be captured (i.e., toward the 5 percent threshold) and will count toward the disturbance limits for non-exempted actions. Include results of the tool in the record when conducting site-specific or project-level documentation of National Environmental Policy Act (NEPA) compliance as appropriate.

The overall goal of the core area strategy as it relates to density and disturbance measures is to limit the fragmentation or loss of sagebrush habitats that support core populations. The BLM will consider and evaluate measures that limit or reduce the density of oil and gas or mining activities to no more than an average of 1 location per 640 acres; and to limit all surface disturbance (any program area) to no more than 5 percent of the core landscape using the DDCT. The consolidation and minimization of disruptive human influences and infrastructure is a basic strategy in limiting wildlife habitat fragmentation and habitat disturbance. The effort to consolidate or minimize fragmentation and disturbance must be considered regardless of whether proposed activities are located inside or outside of Sage-Grouse core or connectivity areas (see Attachment 3) and regardless of land ownership patterns.

Inside Greater Sage-Grouse core areas the density and disturbance goals include:

- The maintenance of sagebrush communities by maintaining or reducing the density of disturbance locations and disruptive activities on the landscape; or
- To not exceed an average of one oil and gas or mining location per 640 acres within the DDCT area identified using the DDCT, and total surface disturbance including existing disturbance and any proposed activity disturbance within the DDCT area should not exceed 5 percent disturbance of core sage-grouse habitats (See Policy Statement 4).

Inside Greater Sage-Grouse connectivity areas the disturbance goals include:

- To not exceed 5 percent habitat disturbance (up to 32 acres) per 640 acres using the DDCT process. For authorization of any proposed action within sage-grouse connectivity areas, including where there are valid existing rights, FOs must consider an alternative that would limit habitat disturbance to no more than 5 percent (up to 32 acres) per 640 acres of suitable sage-grouse habitat within connectivity areas in site-specific or project-level documentation of NEPA compliance.

The overall goal of the core population area strategy within connectivity areas is to minimize habitat loss within these areas sufficient to maintain high probability of lek persistence such that

conservation of population linkage for genetic transfer between sage-grouse populations in Wyoming and those within Montana and the Dakotas is achieved.

Activities excepted by the State plan from the conductance of a DDCT calculation:

Although the following land uses and land management practices must consider and evaluate provisions that support the goals of the core area strategy, including appropriate sage-grouse management protection and conservation measures (*i.e.*, seasonal timing, applicable spatial restrictions, etc.), they will not be subject to, nor require use of the DDCT in order to be consistent with this policy or the State's core population area strategy and EO.

- Herbicide use on or within existing well pads, roads, pipelines and powerline rights-of-way.
- Insecticide application using spot treatments for Grasshopper/Mormon cricket control or where aerial treatments follow accepted Reduced Agent-Area Treatments (RAATS) protocol and other common avoidance measures/protocols as appropriate and/or necessary.
- Existing public road maintenance activities (new roads and/or upgrading of existing roads will be subject to consideration of DDCT and results).
- Emergency response or actions specifically taken to avoid an emergency.
- Agricultural livestock reservoirs, water pipelines and protected spring developments.
- Fences (necessary construction and maintenance actions, seasonal restriction, relocation and/or marking of fences with high potential for strike mortality). Seasonal removals or adaptive modifications should be considered prior to any approval or construction of new fences in sage-grouse core area habitats.
- Cultural resource pedestrian surveys.
- All actions taken to comply with other existing statutes, regulations or terms of an existing permit.
- Actions taken to comply with new or existing livestock grazing authorizations.

Exceptions to lease stipulations, Conditions of Approval (COAs), and terms and conditions (T&Cs), etc. will continue to be considered on a case-by-case basis consistent with approved Resource Management Plans (RMPs) and other BLM policy and regulations as they relate to exceptions. Adequate pre-planning can reduce or eliminate the need for exceptions to sage-grouse protections or restrictions in many cases. When considering exceptions to timing, distance, disturbance and density restrictions applied to oil and gas activities, BLM WY FOs will coordinate with the WGFD in accordance with Appendix 5G of the Umbrella MOU (WGFD and USDI BLM 1990, as updated) and the coordination diagram for interactions between BLM WY and the WGFD specific to this IM (Attachment 4). All necessary timing, distance, disturbance and density restrictions will be considered across all FOs within appropriate NEPA compliance documentation for new projects under consideration. BLM WY FOs may vary somewhat in their application of these restrictions when that variance is based on locally collected scientific data and information, and such information is included in project-specific NEPA analysis (including analysis and rationale that support existing Records of Decision). Additionally, variance or determinations that do not apply the measures located in this policy IM may be necessary where BLM is required to comply with other non-discretionary statutes and regulations (*i.e.*, valid existing rights, oil and gas “drainage”, etc.).

Policy Statement 3: Conservation Objectives and Mitigation

Through this policy IM, BLM WY will include site-specific, measurable conservation objectives for the management of core sage-grouse habitats are included in all new project NEPA documents (internal and external proposals). Documentation will include a discussion on the collection of baseline data and an outline for post-project monitoring that will be conducted if a proposal is ultimately approved. FOs are directed to coordinate with WGFD and to utilize LWG plans and other sources of information to guide development of additional conservation objectives for localized management of sage-grouse habitats. BLM WY FOs will work within multiple programs, such as the hazardous fuels, fire management, range, and wildlife programs, to accomplish sage-grouse habitat conservation objectives that would be consistent with the core population area management strategy.

BLM WY FOs will continue to work with project proponents, partners, and stakeholders to implement direct mitigation (e.g. relocating disturbance, timing and distance restrictions, etc.), utilize BMPs, and consider off-site compensatory mitigation as appropriate. Information sources to consider when identifying additional measures to reduce impacts include, but are not limited to, the BLM WY Mitigation Guidelines for Surface-Disturbing and Disruptive Activities (USDI BLM 1990) and the BLM Offsite Mitigation policy (USDI BLM 2008), and the National BLM Sage-Grouse Habitat Conservation Strategy (USDI BLM 2004). Reclamation of surface disturbance within Sage-Grouse core areas will include consideration of methods to assist in the restoration or augmentation of appropriate functional sage-grouse seasonal habitats. These measures will be in accordance with the BLM Wyoming Reclamation Policy (USDI BLM 2009b) and further guidance and information on these practices is anticipated in 2014 or earlier, with the signing of the RMP Amendments for Greater Sage-Grouse management. BLM WY will recognize the population management goals set by the WGFD when considering new or additional mitigation strategies throughout the NEPA process. The BLM's goal inside sage-grouse core areas is to maintain or enhance seasonal habitats thereby providing support for sage-grouse population management objectives of the State. Outside sage-grouse core areas, the BLM's goal is to sustain important habitats that support core populations and to maintain lek persistence over the long term in sufficient proportions of the sage-grouse population to facilitate movement and genetic transfer between core populations, including those found in adjacent States. Within sage-grouse connectivity habitats identified by the Governor's EO (2011-5), the BLM's goal is to maintain or enhance seasonal habitats in support of the connectivity population management objectives of the State.

This policy does not preclude the development and immediate implementation of new, or innovative mitigation, or other conservation measures that would also be expected to reduce activity/project impacts to sage-grouse or their habitats. New measures applied for sage-grouse will be coordinated as necessary with the WGFD. All recommendations, mitigation and conservation measures will be considered in site-specific documentation of NEPA compliance. As appropriate, these measures may be incorporated into COAs of permits, plans of development, and/or other use authorizations.

Policy Statement 4: Project Locations and Analyses

BLM WY regularly conducts wildlife habitat evaluations in response to applications and proposed activities in coordination with an interdisciplinary team. Evaluations involve a review of baseline data from office-based sources including, but not limited to, aerial photography, satellite imagery and sage-grouse demographic data which may refer to activities which pose potential threats to sage-grouse habitat. Evaluations typically include field visits to identify where impacts can be reduced by protecting seasonal habitats, especially leks, nesting, early brood-rearing, and WCAs. During these habitat evaluations, other vegetation communities not generally used by sage-grouse can be identified as potential sites in which to relocate certain projects with proposed surface disturbance or disruptive activity. In order to claim that the overall relocation results in having no substantive impacts on sage-grouse, the “patch” of non-habitat would need to be quite large and activities would have to be further than 0.6mi from the edge of suitable habitat. This same principle would apply in the case of timing restrictions/limitations. In any case, relocation into least sensitive habitats or vegetation types would still be appropriate. Sage-grouse habitat indicators that may be useful to consider when identifying conservation measures may include existing disturbance, habitat availability, patch size, currently approved or proposed fragmentation of existing habitats, patch connectivity, patch dynamics (*i.e.*, seral stages of vegetation), habitat edge characteristics and corridors potentially used for seasonal migration. The interdisciplinary team will consider and weigh potential impacts on other resources, such as cultural resources, soils and water to determine siting within the least environmentally sensitive area. In all cases, direct, indirect and cumulative impacts of proposed action on sage-grouse, other wildlife and all other impacted resources must be described regardless of distance from the project or whether inside or outside sage-grouse core areas.

Disturbance Density Calculation Tool (DDCT) Review:

For activity proposals within core areas, the effort to establish compliance with this IM and support of the State’s strategy and EO will be to evaluate habitat disturbance (*i.e.*, percent of lost habitat within core) and then determine density of disruptive activities (oil and gas and mining locations) by using a quantitative disturbance and density calculation called the DDCT. The DDCT utilizes a GIS platform to conduct this review. Within the DDCT process, where habitat assessment information is comprehensive enough to measure, unsuitable habitats including those associated with disturbances occurring within the DDCT area may be excluded in the disturbance calculations as described in Attachment 5. Impacts and habitat evaluations under NEPA should continue to be analyzed and described for all populations to extend out to the distances and locations appropriate to the population which is likely to be affected. To conduct a project-level review of disturbance and density using the DDCT, there is a detailed, step-by-step DDCT Process Manual in Attachment 5 of this IM. Updates and additional information will be made available as the strategy is implemented and updates to the DDCT Manual are expected to occur over time.

The remaining portion of Policy Statement 4 addresses BLM WY program activities that may occur within sage-grouse seasonal habitats and have varying degrees of impact to the health and

connectivity of the sage-steppe communities therein. There is a focus on minimizing impacts and improving the health of sagebrush habitats for sage-grouse and other sagebrush obligates in core areas.

Existing Activities:

The State's strategy and this policy IM recognize and acknowledge that certain activities related to valid existing rights (oil and gas leases and mining operations), agricultural grazing activities and other existing activities will continue to occur within core areas. It is also acknowledged that existing operations and activities may have localized impacts on Greater Sage-Grouse. To offset these potential impacts, the mapping of core areas included more habitat than that which is strictly necessary for long-term conservation of the sage-grouse within the State of Wyoming (Wyoming EO 2011-5, provision No. 14). Consideration of existing activities (e.g., existing permits and developments already in place) will be expected to continue. Any expansion or new individual development proposals that require new BLM permits or decisions will remain a case-by-case determination of the BLM AO and conservation measures must be considered and evaluated before making new decisions.

New Activity Proposals:

The BLM's goal for any new activity or development proposal within core areas is to provide consistent support for population management objectives of the State. Activities would be consistent with the strategy where it can be sufficiently demonstrated that no declines to core populations would be expected as a result of the proposed action. Published research suggests that impacts to sage-grouse leks associated primarily with infrastructure and energy development are discernible at a distance of at least 4 miles and that many leks within this radius have been extirpated as a direct result of development (Walker et al. 2007, Walker 2008). Research also suggests that an evaluation of habitats and sage-grouse populations that attend leks within an 11-mile radius from the project boundary in the context of "large" projects may be appropriate in order to consider all seasonal habitats that may be affected for birds that use the habitats associated with the proposal during some portion of the life-cycle of seasonally migratory sage-grouse (Connelly et al. 2000).

Based on this information, the potential for direct and indirect impacts to sage-grouse within core areas shall be evaluated at minimum, out to 4 miles from relatively small individual proposed actions. Effects analyses may extend out 11 miles or more from the project boundary for large-scale projects depending on local knowledge and information regarding the site-specific population. The evaluation of "large" or "small" projects is not related to the disturbance density calculation or DDCT. This determination of size will be based on the distance at which an appropriate effects analysis under NEPA should be conducted unless pertinent data and information indicates a greater distance would be appropriate.

For the purpose of illustrating the implementation of the "large" or "small" determination within this policy statement, examples of relatively small actions may include but are not limited to, minor exploratory natural gas well drilling proposals, individual rights-of-way (including below ground linear projects), vegetation treatments conducted in accordance with the sagebrush treatment protocols (See Integrated Vegetation Management below, and Attachment 6 – WGFD

Protocols for Treating Sagebrush to be Consistent with Wyoming Executive Order 2011-5), wind energy site testing and sage-grouse monitoring projects. Examples of large-scale actions may include, but are not limited to, oil and gas field developments, wind energy farm/field development projects, large interstate transmission power lines and vegetation treatments that eliminate functional habitat for sage-grouse. In all cases, these distances are only a suggested distance for evaluation and project specific distances for evaluation can be modified based upon available data and information. Additionally, in the event that these measures are all adopted in a final proposal, this does not mean that the proposed activity would be automatically approved. BLM must evaluate proposed actions on a case-by-case basis while meeting its obligations under NEPA, FLPMA, and other applicable laws.

Noise:

BLM WY FOs will work with proponents to limit project related noise where it would be expected to reduce functionality of habitats that support core area populations. BLM will evaluate the potential for limitation of new noise sources on a case-by-case basis as appropriate. BLM's near-term goal is to continue to limit noise sources that would be expected to negatively impact core area sage-grouse populations and to continue to support the establishment of ambient baseline noise levels for occupied core area leks. As additional research and information emerges, specific new limitations appropriate to the type of projects being considered will be evaluated and appropriate limitations will be implemented where necessary to minimize potential for noise impacts on core sage-grouse population behavioral cycles.

Integrated Vegetation Management

For vegetation treatments in sagebrush within core areas, refer to Attachment 6 – WGFD Protocols for Treating Sagebrush to Benefit Sage-Grouse (WGFD 2011, as updated). These recommended protocols will be used in determining whether proposed treatment constitutes a “disturbance” that will contribute toward the 5 percent threshold for habitat maintenance or not. Additionally, these protocols will be used to determine whether the proposed treatment configuration would be expected to have neutral or beneficial impacts for core populations or if they represent additional habitat loss or fragmentation. Treatments to enhance sagebrush/grasslands habitat for sage-grouse will be evaluated based upon habitat quality and the functionality/use of treated habitats post-treatment.

BLM will work collaboratively with partners at the State and local level to maintain and enhance sage-grouse habitats in a manner consistent with the core population area strategy for conservation.

Wildfire Emergency Stabilization (ES) and Burned Area Rehabilitation (BAR)

BLM will work collaboratively with partners at the Federal, State, and local level to maintain and enhance sage-grouse habitats in a manner consistent with the core population area strategy for conservation. Conduct DDCT reviews in coordination with the WGFD - Habitat Protection Program located in Cheyenne at the WGFD headquarters. Areas within core are high priority for restoration of sage-grouse habitat beyond immediate response.

Wildfire Suppression and Fuels Management

Wildfire suppression efforts in core areas should be emphasized, recognizing that other local, regional, and national suppression priorities may take precedence. Public and firefighter safety remains the number one priority for all fire management activities. BLM WY will recognize and implement the measures found in WO IM No. 2011-138 (Sage-Grouse Conservation Related to Wildland Fire and Fuels Management), or successor guidance, regarding suppression operations and fuels management which is consistent with the State plan. For fuels management, BLM WY will consider multiple tools for fuels reduction in subject NEPA compliance documentation before electing to implement prescribed fire in sage-grouse core areas. Avoid the use of prescribed fire in areas of Wyoming big sagebrush and/or within areas of less than 12 inches of annual precipitation.

Rights-of-Way (ROW), (e.g. Powerline Transmission, Wind Energy Projects)

Powerline Transmission:

In conducting review of powerline transmission proposals, the use of the Framework for Sage-Grouse Impacts Analysis for Interstate Transmission Lines is necessary. The framework for analysis focuses on the evaluation of direct and indirect impacts to sage-grouse specific to large interstate transmission lines, as well as direct loss of birds that may occur and finally, mitigation (which includes the use of habitat equivalency analysis or HEA). Secondly, a DDCT will be required for all areas of core habitat that would be crossed by transmission if proposals or alternatives are identified outside the State's preferred corridors for transmission (see EO 2011-5; Statement 15; pg. 4). The results of the DDCT would be used to evaluate opportunities to: minimize density of disturbance within core areas that are outside the State's preferred disturbance corridor, as identified in the Wyoming Governor's Executive Order 2011-5; and to identify opportunities to restore and/or enhance important sage-grouse habitat as a part of project-related mitigation. The site-specific habitat evaluation of a DDCT will enable BLM to: (a) demonstrate compliance with the Greater Sage-Grouse Habitat Management Policy on Wyoming BLM Administered Public Lands including Federal Mineral Estate (IM WY-2012-019); and (b) demonstrate consistency with the Greater Sage-Grouse Core Area Protection, Wyoming Governor's Executive Order 2011-5 which requires use of designated corridors to traverse core areas. For clarity, the DDCT is not, by itself, an analysis of impacts from proposed transmission on BLM-administered properties for the purposes of NEPA and thus, BLM WY FOs are directed to observe the Framework for Sage-grouse Impacts Analysis for Interstate Transmission Lines.

Wind Energy:

It is the policy of BLM WY to consider, based on site specific analysis, deferral of approval of new applications and proposals for wind power development inside Greater Sage-Grouse core areas until the WY RMP updates have been finalized (*i.e.*, on-going RMP revision or on-going amendments for Greater Sage-Grouse management), unless it can be sufficiently demonstrated that the development activity would not result in declines of core sage-grouse populations. Sufficient demonstration of "no declines" should be coordinated with the WGFD and U.S. Fish and Wildlife Service. BLM WY will continue to contribute and support research and monitoring efforts to study the various environmental consequences of wind energy development on Greater Sage-Grouse or their habitats.

Leasable Minerals:

Energy Development and Valid Existing Rights:

Many sage-grouse seasonal habitats within and outside of core areas are encumbered by valid existing rights, such as mineral leases or existing rights-of-way. Fluid mineral leases often will include less stringent lease stipulations than the timing, distance, and density requirements identified for consideration in this policy. BLM WY FOs will work with project proponents in these situations to promote measurable sage-grouse conservation objectives such as but not limited to, consolidation of project related infrastructure to reduce habitat fragmentation and loss and to promote effective conservation of seasonal habitats and connectivity areas that support population management objectives set by the State. BLM WY FOs will continue to work with project proponents (including those from within the BLM) to site their projects in locations that meet the purpose and need for their project, but have been determined to contain the least sensitive habitats and resources whether inside or outside of core areas. Valid existing rights will be recognized and respected. In some cases, the goals of this strategy may not be met but, it remains the objective of the BLM to limit habitat loss and fragmentation within core areas.

Solid Mineral Leases (Coal, Oil Shale and Non-energy):

For all new coal and non-coal leasing applications, BLM will assess the potential impacts to sage-grouse through the NEPA process and as applicable identify mitigation to minimize habitat loss, fragmentation and direct and indirect effects to Greater Sage-Grouse and its habitat. The State regulatory agency would apply any BLM identified mitigation attached to the final lease document, as well as protective measures consistent with the State Policy for solid leasable minerals mining actions at the permitting stage. For solid non-energy leasable minerals, the BLM has regulatory authority to approve surface disturbing activities on Federal land only. In Wyoming, the State Department of Environmental Quality also has the regulatory authority to approve surface disturbing activities associated with Federal and non-Federal non-energy solid leasable mineral operations. Wyoming Department of Environmental Quality (DEQ) is the regulatory authority on non-Federal surface disturbing activities and is best suited to determine if development of a DDCT is required for permitting and may also impose restrictions that are not described for evaluation by BLM in this BLM WY policy IM.

Fluid Mineral Leasing Screen

In review of parcels nominated for lease of Federal fluid minerals in Wyoming, FOs are directed to utilize the following lease screen instruction.

Evaluate all proposed lease parcels by answering the following questions (Sage-Grouse Lease Screen - Attachment 7):

1. Is the parcel wholly or partially inside a Sage-Grouse Core Area? YES or NO?
 - If YES, then move to question 2.
 - If NO, then recommend the parcel or portion of parcel outside core, be offered for lease sale after attaching Lease Notice No. 3, Stipulation - Controlled Surface Use for Threatened, Endangered, and Sensitive Species, and also attach all other land-use plan derived stipulations, as appropriate.

* Note that specialists must continue to use the most up to date GIS information and layers that reflect any changes in core areas or their boundaries.

2. Is the parcel part of at least eleven square miles of contiguous, manageable, Federal fluid mineral estate? YES or NO?

- If YES, then move to question 3A by referring the parcel to the State Office Reservoir Management Group (RMG) for preliminary review regarding potential drainage and/or whether the parcel is part of an oil and gas unit.
- If NO, then move to question 3B.

* Note: This component of the screen will assist BLM in identifying opportunities where BLM can conserve large contiguous blocks of manageable, unleased habitats for Greater Sage-Grouse within core areas. Many factors will be considered in determining manageability such as land and mineral ownership patterns, lease or land ownership arrangement, expiration date of adjacent leases and any existing development capable of production or disturbances that would affect or influence habitat functionality. Include a review of any adjacent fee and State lands as practicable.

3.A. Did the BLM WY RMG identify the parcel as having any potential drainage issues, or is the parcel part of an oil and gas unit? YES or NO?

- If YES, then recommend the parcel or portions be offered for lease sale after attaching Lease Notice No. 3, Stipulation - Controlled Surface Use for Threatened, Endangered, and Sensitive Species, and also attach all other land-use plan derived stipulations, as appropriate.
- If NO, then recommend parcel for deferral.

* Note: For all nominated parcels that meet all of the criteria, the FO may recommend deferral for sage-grouse habitat conservation. Deferred parcel areas will remain deferred from leasing until conservation planning and management potential can be evaluated in the context of a Land Use Planning action (*i.e.*, revision, maintenance, or amendment). This approach will ensure appropriate conservation measures and strategy can be effectively applied within core areas.

3.B. Is the parcel partially or entirely within 0.6-mi. of an occupied core area sage-grouse lek? YES or NO?

- If YES, move to question 4.
- If NO, then recommend that the parcel be offered for lease sale after attaching Lease Notice No. 3, Stipulation - Controlled Surface Use for Threatened, Endangered, and Sensitive Species, and also attach all other land-use plan derived stipulations, as appropriate.

4. Is parcel entirely within 0.6 mile? YES or NO?

- If YES, move to question 3A for review by RMG for potential drainage issues and possible deferral.
- If NO, then the parcel must be divided using geographic coordinate database (GCDB) aliquot parts to determine the approximately 40-acre portions of parcel touching or within the 0.6 mile buffer of the occupied lek.
 - a. For the portions entirely outside the 0.6mi lek buffer, recommend they be offered for lease sale after attaching Lease Notice No. 3, Stipulation - Controlled Surface Use for Threatened, Endangered, and Sensitive Species, and also attach all other land-use plan derived stipulations, as appropriate.

- b. For portions touching or within the 0.6 mile buffer of the lek, move to question 3A.

Grazing Management:

Properly managed livestock grazing activities and sage-grouse conservation are compatible. According to the U.S. FWS's March 2010 listing determination for Greater Sage-Grouse, the influence of livestock grazing on sage-grouse habitats varies across the range of the species. This variability of potential impacts is one factor used in determining the appropriate administrative level to prescribe proper livestock grazing management practices that would maintain or enhance localized habitat conditions for sage-grouse. It is the policy of BLM WY to promote proper livestock grazing management practices that maintain or enhance desired sage-grouse habitat conditions. In order to ensure the necessary implementation of these types of practices and protections, this policy IM directs FOs to implement the following practices for all on-going and proposed permits for livestock grazing authorizations and activities in the context of the Wyoming Governor's core population area strategy for Greater Sage-Grouse. These measures have been adapted from and are in conformance with WO IM 2012-043 for grazing management guidance.

Ongoing Authorization Activities

- If periods of drought occur, where appropriate, the AO will evaluate the season of use and stocking rate and adjust through coordination with grazing permittee/lessee and annual billings processes.
- Continue to coordinate with other Federal agencies, State agencies, and non-Federal partners. Leverage funding to implement habitat projects and implement the recent Memorandum of Understanding between the BLM, NRCS, FWS, and USFS maintain or enhance core habitats through grazing practices.
- Continue to prioritize oversight and effectiveness monitoring of grazing activities to ensure compliance with permit conditions and that progress is being made on achieving WY land health standards.
- Continue to evaluate existing range improvements (e.g., fences, watering facilities) associated with grazing management operations for impacts on Greater Sage-Grouse and its habitat.
- Livestock trailing that is authorized through crossing permits under Section 123 of H.R. 2055-228 and 43 CFR 4130.6-3 will include a trailing plan that is designed to avoid sensitive areas and/or time periods for sage-grouse. The plan will include specific routes and timeframes for trailing.

Proposed Authorizations/Activities – Permit/Lease Renewal/Issuance

- When several small or isolated allotments occur within a watershed or delineated geographic area, strive to evaluate all of the allotments together. Prioritize this larger geographic area against other core areas for processing permits/leases for renewal.
- Coordinate BMPs and vegetative objectives with NRCS for consistent application across jurisdictions where the BLM and NRCS have the greatest opportunities to benefit Greater Sage-Grouse, particularly as it applies to the NRCS's National Sage-Grouse Initiative (<http://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/programs/farmbill/initiative/s/and/cid=steldevb1027671>).

- Evaluate opportunities to coordinate management plans and strategies on multiple allotments where coordination under a single management plan/strategy would result in enhancing Greater Sage-Grouse populations or its habitat as determined in coordination with the State wildlife agency.
- Where current livestock grazing management has been identified as a causal factor in not meeting Land Health Standards (43 CFR 4180), use the process in WO-IM-2009-007, Process for Evaluating Status of Land Health and Making Determinations of Causal Factors When WY Land Health Standards Are Not Achieved, to identify appropriate actions.
- Evaluate progress towards meeting standards that may affect Greater Sage-Grouse or its habitat prior to authorizing grazing on an allotment that was not achieving land health standards in the last renewal cycle, and livestock was a significant causal factor. Where available, use current monitoring data to identify any trends (e.g., progress) toward meeting the standards. Where monitoring data are not available or are inadequate to determine whether progress is being made toward achieving WY Land Health Standards. An interdisciplinary team should be deployed as practicable to conduct a new land health assessment in coordination with the grazing permittee/lessee. The NEPA analysis for the permit/lease renewal must address a range of reasonable alternatives including alternatives that maintain or enhance Greater Sage-Grouse habitat.
- If livestock grazing was the cause of not achieving land health standards that have potential to impact Greater Sage-Grouse or its habitat in the last permit renewal cycle, an interdisciplinary team should be deployed as practicable to conduct a new land health evaluation to determine if the allotment is making progress and if livestock grazing remains a causal factor.
- Plan and authorize livestock grazing and associated range improvement projects on BLM lands in a way that maintains and/or improves Greater Sage-Grouse and its habitat. Analyze through a reasonable range of alternatives any direct, indirect, and cumulative effects of grazing on Greater Sage-Grouse and its habitats through the NEPA process:
 - Incorporate available site information collected using the Sage-Grouse Habitat Assessment Framework and utilize these data when evaluating existing resource conditions and to develop any necessary resource solutions.
 - Incorporate management practices that will provide for maintenance and/or enhancement of sage-grouse habitats, including specific attention to maintenance of desired understories of sagebrush plant communities. When developing objectives for residual cover and species diversity, identify the ecological site(s) within the planning area and refer to the appropriate Ecological Site Description(s).
 - In determining appropriate management actions that will be considered, refer to the document, “Grazing Influence, Management, and Objective Development in Wyoming's Greater Sage-Grouse Habitat” (Cagney et al. 2010) for guidance. This peer reviewed document is the result of a collaborative effort in Wyoming to ensure proper livestock grazing practices with sage-grouse habitats. It is the culmination of efforts to gather and integrate current knowledge and practices regarding livestock grazing in respect to important sage-grouse habitats within Wyoming. The information and discussion materials found within this document

will provide resource professionals in BLM WY in planning livestock grazing strategies that meet the objectives of the Wyoming policy and strategy.

Additional instruction for use and implementation of this document is described in Attachment 8 - Management of Livestock Grazing in Sage-Grouse Habitats on Lands Administered by the Bureau of Land Management in Wyoming.

- Evaluate and implement grazing practices that promote the growth and persistence of native shrubs, grasses, and forbs. Grazing practices include kind and numbers of livestock, distribution, seasons of use, and other livestock management practices needed to meet both livestock management and Greater Sage-Grouse habitat objectives.
- Evaluate the potential risk to Greater Sage-Grouse and its habitats from existing structural range improvements. Address potential for modification of those structural range improvements identified as posing a risk during the renewal process.
- Balance grazing between riparian habitats and upland habitats to promote the production and availability of beneficial forbs to Greater Sage-Grouse in meadows, mesic habitats, and riparian pastures for Greater Sage-Grouse use during nesting and brood-rearing while maintaining upland conditions and functions. Consider changes to season-of-use in riparian/wetland areas before or after the summer growing season.
- To ensure that the NEPA analysis for permit/lease renewal has a range of reasonable alternatives:
 - Include at least one alternative that would implement a deferred or rest-rotation grazing system, if one is not already in place and the size of the allotment warrants it.
 - Include a reasonable range of alternatives (e.g., no grazing or a significantly reduced grazing alternative, current grazing alternative, increased grazing alternative, etc.) to compare the impacts of livestock grazing on Greater Sage-Grouse habitat and land health from the proposed action.
 - If land treatments and/or range improvements are the primary action for achieving land health standards for Greater Sage-Grouse habitat maintenance or enhancement, clearly display the effects of such actions in the alternatives analyzed.

Fence Construction:

As stated above, fence proposals are subject to necessary provisions that support the goals of the core area strategy and consideration of necessary impact minimization and mitigation measures that avoid sage-grouse conflicts (*i.e.*, seasonal timing or spatial restriction, etc.). Evaluate the need for proposed fences, especially within 1.25 miles of occupied core area leks (Stephens 2010). Consider deferral of fence construction unless the objective is to maintain or enhance Greater Sage-Grouse habitats, maintain or enhance land health, promote successful reclamation, protect human health or safety or provide resource protection. Fence construction proposals will not require the development of a DDCT.

Where fence construction is authorized then, where appropriate, apply mitigation (e.g., timing limitations for construction/maintenance, proper siting outside scientifically supported buffer

zones, marking, or adjustment to post and pole construction of fences, etc.) to minimize or eliminate potential impacts to grouse, as determined in coordination with WGFD.

Consider and evaluate opportunities to modify or increase visibility of fences that are identified as posing a high risk of collision for sage-grouse. Prioritize evaluations of fences within 1.25 miles of occupied leks within core areas.

Water Developments:

See Policy Statement 7 below.

Special Recreation Permits (SRP) and Recreation Sites:

BLM will work collaboratively with partners at the Federal, State and local level to maintain and enhance sage-grouse habitats in a manner consistent with the core population area strategy for conservation. New proposals for SRPs or recreation site would be subject to “new activity proposals” as discussed above.

Travel Management:

For new road proposals, consider an alternative that would locate new primary and secondary roads greater than 1.9 mi from the perimeter of occupied sage-grouse leks inside core areas. Additionally, for new proposals, consider and evaluate an alternative that would locate new tertiary roads greater than 0.6 mile from the perimeter of occupied leks.

Construct new roads to a minimum design standard needed for proposed activity.

Locatable Mineral Activities:

Existing Notices and Approved Plans of Operations under 43 CFR 3809: For projects that overlap core areas, operators may be requested to submit modifications to the accepted notice or approved plan of operations so that the operations minimally impact core area habitats. The AO may convey to the operator suggested conservation measures, based upon the notice or plan level operations and the geographic area of those operations [also called the project area which is defined in CFR 3809.5]. These suggested conservation measures include measures that support the overall goals and objectives of the core population area strategy, though measures listed for evaluation in Policy Statement 2 of this IM may not be reasonable or applicable to the BLM’s determination of whether the proposed operations will cause unnecessary or undue degradation under 43 CFR 3809.5. The request containing the suggested conservation measures must make clear that the operator’s compliance is not mandatory.

Notices or Plans of Operation, or modifications thereto, submitted following the issuance of this guidance: As part of the 15 day completeness review of notices [or modifications thereto] and 30 day completeness review of plans of operations [or modifications thereto], the proposed project area(s) where exploration, development, mining, access and reclamation would take place should be reviewed for overlap of sage-grouse core areas in the corporate GIS database. If there is overlap, the BLM AO may notify the operator of ways that they may minimize impacts to core area habitats and request the operator to amend its notice or plan to include such measures. The request to amend the submitted notice or plan of operations must make clear that the operator’s

compliance is not mandatory and that including such measures is not a requirement for completeness of either the notice or a plan of operations, nor is it a condition of acceptance of the notice or approval of the plan of operations.

Saleable Minerals:

Where valid existing rights exist, work with permit holders to develop mutually agreeable actions such as siting/design of infrastructure or timing that will avoid or minimize effects to core populations and habitats.

For processing new permits, refer to “New Activity Proposals” above where consideration and evaluation of measures in Policy Statement 2 of this IM would be necessary.

Grasshopper/Mormon Cricket Control and Management:

FOs may implement treatments within sage-grouse core areas where outbreaks of grasshopper or Mormon cricket populations are expected to rise above economic levels. Treatments must be conducted only following reduced agent-area treatments (RAATS) protocols. BLM will work collaboratively with partners at the Federal, State, and local levels to maintain and enhance sage-grouse habitats in a manner consistent with the core population area strategy for conservation. FOs are directed to utilize <http://www.blm.gov/wy/st/en/info/NEPA/documents/ghopper.html> as a resource for updated information when conducting analysis of grasshopper and Mormon cricket control in sage-grouse habitats.

Wild Horse and Burro Management:

FOs will prioritize the management of wild horse populations in core areas to within established Appropriate Management Levels (AML). In accordance with National direction, wild horse herd management areas within the State’s core areas should be considered for priority removal of excess horses, except where removals are necessary in non-core population areas to prevent catastrophic environmental issues, including herd health impacts.

Realty Actions – (e.g. Land Exchanges, Transfers, and Sales):

BLM WY will consider, based on site specific analysis, deferring final action on public land disposals within core areas where such authorizations or approvals could result in a net loss of core sage-grouse habitat until the RMP amendments or revisions are completed. Evaluation of lands identified as suitable for disposal in current RMPs will be conducted through the RMP amendment or revision process.

Vegetation and Resource Monitoring:

See Policy Statements 3 and 9 for guidance and information regarding objectives and importance of monitoring.

Policy Statement 5: Resource Management Plans (RMPs)

For ongoing and future RMP revisions, follow Section 1.3.1 of BLM's National Sage-Grouse Habitat Conservation Strategy (USDI BLM 2004a) as well as WO IM No. 2012-044, BLM

National Greater Sage-Grouse Land Use Planning Strategy, for sagebrush habitat conservation in BLM RMPs.

As WY BLM RMPs undergo revision, amendment, or modification, BLM FOs will identify any areas that would be considered under at least one alternative as unavailable for oil and gas leasing or wind energy development, ROW exclusions, etc., as appropriate. As part of this consideration FOs are encouraged to consider when existing leases are set to expire. BLM will also review the recommended management practices and sage-grouse conservation measures from section 1.4.1 of BLM's National Sage-Grouse Habitat Conservation Strategy (USDI BLM 2004a), the Wyoming Greater Sage-Grouse Conservation Plan, LWG plans and recommendations, peer reviewed research, and other available information, to the extent possible, for public lands and the Federal mineral estates.

Observe and analyze the objectives for maintenance and improvement of sage-grouse habitats that support population management objectives set by the State of Wyoming. The objectives and associated management practices will be designed to limit habitat loss, degradation, simplification, and fragmentation (US EPA 1993).

BLM WY FOs will develop plans addressing RMP objectives and to monitor sage-grouse habitats in order to assess effectiveness of conservation measures that will be applied in achieving the long-term conservation of sage-grouse habitats. All BLM authorized activities located in sage-grouse habitats will require appropriate sage-grouse conservation measures.

BLM WY RMP revisions and/or amendments will follow all applicable principles laid out in WO IM No. 2012-044 and analyze appropriate sage grouse habitat conservation regulatory mechanisms in at least one alternative of the RMP/EIS.

BLM WY RMP revisions and/or amendments will develop specific exception criteria for sage-grouse restrictions and application of greater or lesser restrictions for short or long-term activities. Exception, waiver, or modification evaluation factors may include, but are not limited to, localized population conditions, relative quality or condition of the habitat, presence/absence of sage-grouse or their sign, presence of other activities in the area, importance for migration or genetic connectivity, duration and timing of the proposed activity, local topography, severity and forecast of weather, beneficial aspects of the project for sage-grouse habitats, including possible reclamation activities, and cover or forage availability.

Consider landscape scale conservation strategies that may include special management of seasonal habitats and linkage zones. Use program-specific BMPs such as, but not limited to, temporary set-asides, phased development and/or off-site mitigation if offered by the proponent, sage-grouse habitat reclamation objectives, buried power lines, and other efforts that reduce or consolidate surface-disturbing and disruptive activities in these strategies.

Policy Statement 6: Lek Data

The official Wyoming sage-grouse lek database is maintained by the WGFD in accordance with Appendix 4B of the Umbrella Memorandum of Understanding (MOU) between the WGFD and BLM (WGFD and USDI BLM 1990).

Use of WGFD lek data in conducting DDCT review is required.

BLM WY FO specialists and local WGFD personnel will meet at least annually to locally coordinate and review the accuracy of data and incorporate the most up-to-date information as necessary. Scheduling of these annual coordination meetings is up to the individual FOs with their local WGFD counterparts. For data to be included in the WGFD database, it must be collected using techniques and accuracy standards agreed upon by WGFD and BLM. Annual lek surveys and lek counts will be coordinated between WGFD and the BLM to reduce duplicated efforts and minimize disturbance in accordance with the Umbrella MOU.

Policy Statement 7: West Nile Virus

Artificial water impoundments will be managed to the extent of BLM's authority for the prevention and/or spread of West Nile virus (WNV) where the virus poses a threat to sage-grouse. This may include but is not limited to: (a) the use of larvicides and adulticides to treat waterbodies; (b) overbuilding ponds to create non-vegetated, muddy shorelines; (c) building steep shorelines to reduce shallow water and emergent aquatic vegetation; (d) maintaining the water level below rooted vegetation; (e) avoiding flooding terrestrial vegetation in flat terrain or low lying areas; (f) constructing dams or impoundments that restrict seepage or overflow; (g) lining the channel where discharge water flows into the pond with crushed rock, or use a horizontal pipe to discharge inflow directly into existing open water; (h) lining the overflow spillway with crushed rock and construct the spillway with steep sides to preclude the accumulation of shallow water and vegetation; and (i) restricting access of ponds to livestock and wildlife (Doherty 2007).

Field Offices should consider alternate means to manage produced waters that could present additional vectors for WNV. Such remedies may include re-injection under an approved Underground Injection Control (UIC) permit, transfer to single/centralized facility, etc.

Policy Statement 7 regarding WNV does not apply to naturally occurring waters.

Impoundments for wildlife and/or livestock use should be designed to reduce the potential to produce vectors for WNV where the virus may pose a threat to sage-grouse.

Policy Statement 8: Use of Dogs

Based on current research and consultation of experts, BLM WY cannot consider any technique other than radio telemetry to be effective for detecting individual nesting sage-grouse. Field Offices are not to utilize or accept domestic dogs as the sole mechanism for conducting site

clearances for provision of exception for activities to occur within sage-grouse nesting habitat during the nesting season. BLM WY FOs are directed to carefully consider the impacts of disturbing sage-grouse during this crucial season and the potential for mortality of birds before approving any use of this methodology. Further, given the knowledge that detection of nesting grouse is so unlikely, BLM WY FOs must consider whether any exceptions to this important seasonal protection can be granted at all within the context of your own RMP's existing analysis of the criteria for exception. The use of well-trained dogs and experienced handlers for conducting clearances of winter concentration areas is permissible only when conducted with simultaneous verification of bird presence by visual observation of sage-grouse or their sign. This policy is in compliance with the WY BLM policy (USDI BLM 2009c) which does not allow employees to transport dogs in Government vehicles.

Policy Statement 9: Monitoring Effectiveness

It is extremely important that the directives contained in this IM are monitored to determine the effectiveness of their implementation until RMPs are updated. BLM WY FOs are to establish monitoring protocols that will be incorporated into individual project approvals as appropriate and necessary. Small or in-house projects within core areas will also have a monitoring plan for sage-grouse incorporated in the approval document.

Policy Statement 10: Deviations from the Policy and Strategy

This statewide policy is intended to provide consistent sage-grouse habitat management directives on BLM administered public lands including Federal mineral estate in Wyoming. Because Wyoming is a diverse State, there may be occasional circumstances which could justify deviation from the policies stated herein. FOs may vary in the implementation of this policy IM **where locally collected scientific data and information supported by comprehensive and objective NEPA analysis of a proposed action presents compelling justification for deviation.** In all cases, prior to actions where deviations from policy may take place, FOs will coordinate with WGFD counterparts and advise the Deputy State Director for Resources Policy and Management (WY 930) and the Deputy State Director for Minerals and Lands (WY 920) through the District Office of their intent to take such actions. The purpose of such notification and interaction is to ensure State Office awareness of the number and type of such actions, and not to request advance WY BLM State Office approval for such actions.

Timeframe: Effective immediately.

Budget Impact: There may be a significant effect on budgets.

Background:

In March 2010, the FWS published its finding on the petition for the Greater Sage-Grouse to be listed as Threatened or Endangered. The finding was that the species is "warranted, but precluded." The inadequacy of regulatory mechanisms was identified as one of the major factors in the FWS's finding on Greater Sage-Grouse. The FWS has identified the principal regulatory

mechanism for the BLM as protective measures embedded in land use plans. The BLM is identifying sage-grouse conservation measures for consideration through the planning process, with a target decision date of September 2014. The goal of the overall planning effort is to conserve and manage habitats necessary to sustain Greater Sage-Grouse populations and reduce the likelihood of listing under the Endangered Species Act.

In July 2011, the BLM announced the National Greater Sage-Grouse Planning Strategy which provides a framework for establishing adequate regulatory mechanisms (conservation measures) in applicable BLM LUPs throughout the range of the Greater Sage-Grouse. BLM WY will be working to incorporate the Wyoming Core Strategy into LUPs throughout the State and this IM will assist in preserving decision space that may be needed in the selection of potential alternatives.

Manual or Handbook Sections Affected: No manual or handbook sections are affected.

Coordination: This IM was coordinated among the BLM Washington D.C. Directorate, WY BLM Field Offices, other BLM State Offices, the Wyoming Office of Governor Mead and the Wyoming Game and Fish Department.

Contacts: Chris Keefe, Wildlife Biologist, 307-775-6101, and Buddy Green, Deputy State Director for Resources Policy and Management, 307-775-6113.

Signed By:
Donald A. Simpson
State Director

Authenticated By:
Sherry Dixon
Secretary

9 Attachments:

- 1 – Wyoming Sage-Grouse Definitions (4 pp)
- 2 – Seasonal Sage-grouse Habitat Component Descriptions (2 pp)
- 3 – Wyoming Core Areas Map ver. 3 (1 p)
- 4 – Coordination with Wyoming Game and Fish - Diagram (1 p)
- 5 – DDCT Process Manual (31 pp)
- 6 – Wyoming Game and Fish Department Protocols for Treating Sagebrush to be Consistent with Wyoming Executive Order 2011-5; Greater Sage-Grouse Core Area Protection (5 pp)
- 7 – BLM Wyoming Sage-Grouse Fluid Mineral Lease Screen (1 p)
- 8 – Management of Livestock Grazing in Sage-Grouse Habitats on Lands Administered by the Bureau of Land Management in Wyoming (4 pp)
- 9 – References (3 pp)

Distribution

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